

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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AARON MONTROE WINSTEAD,

Plaintiff,

Case No. 1:05-CV-430

v.

HON. GORDON J. QUIST

EATON COUNTY SHERIFF'S  
DEPARTMENT, et al.,

Defendants.

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**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on June 20, 2006. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed June 20, 2006, is approved and adopted as the opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants' Motion For Summary Judgment (docket no. 22) is **GRANTED** and that this case be **DISMISSED WITH PREJUDICE** because Plaintiff cannot defeat summary judgment.

**IT IS FURTHER ORDERED** that Plaintiff's Motion For Judgment On The Pleadings (docket no. 33), Plaintiff's Motion For Summary Judgment (docket no. 31), and Plaintiff's Motions For Oral Argument (docket nos. 38 and 39) are **DENIED**.

For the same reasons that the Court dismisses the action, the Court discerns no good-faith basis for an appeal. 28 U.S.C. § 1915(a)(3); *McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

Dated: July 14, 2006

/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE